

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>UNITED STATES OF AMERICA,</b>	)	
<b>ex rel. DAVID M. KESTER, <i>et al.</i>,</b>	)	
	)	
Plaintiffs,	)	
	)	11 Civ. 8196 (CM)
<b>v.</b>	)	
	)	
<b>NOVARTIS PHARMACEUTICALS</b>	)	
<b>CORPORATION, <i>et al.</i>,</b>	)	
	)	
Defendants.	)	
	)	

**[PROPOSED] ORDER**

Relator David M. Kester having filed a motion asking the Court to reopen this case and, pursuant to Paragraph 27 of the Stipulation of Settlement and Order of Dismissal (ECF No. 504), to retain jurisdiction over the Relator's claims under 31 U.S.C. § 3730(d) for a share of the Settlement Amount due to the United States from defendant Novartis Pharmaceutical Corp. ("Novartis") under the Stipulation and Order of Settlement and Dismissal entered on November 20, 2015, and for a share of the United States' recovery from defendant Accredo Health Group ("Accredo"), and the United States having consented to the Relator's motion, and Relator having alerted the Court to the potential need for it to exercise jurisdiction at a later point over the Relator's claims under state law for shares of recoveries by the state plaintiffs,

It is hereby **ORDERED** that:

This case is reopened, and the Court will retain jurisdiction over the Relator's claims for shares of the proceeds of this action; and

Within 30 days of the date of this Order, the Relator will report to the Court on the status of discussions between the parties on the Relator's claims for shares of the proceeds of this action.

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States District Court Judge